

# Exhibit E

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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES SECURITIES )  
AND EXCHANGE COMMISSION, )  
Plaintiff, ) CASE NO.  
vs. ) 17-cv-4179-DLC  
ALPINE SECURITIES )  
CORPORATION, )  
Defendant. )  
- - - - -

VIDEOTAPED DEPOSITION OF ERIN GREEN  
WEDNESDAY, MARCH 14, 2018

BEHMKE REPORTING AND VIDEO SERVICES, INC.  
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1 the SAR trigger referenced in the document?

2 Q. (By Mr. Carlyle) Well, the document refers to  
3 SAR triggers throughout it. What is a SAR trigger at  
4 Alpine to your understanding?

5 A. An occurrence of a fact or activity that could  
6 lead to the preparation and filing of a suspicious  
7 activity report.

8 Q. In this e-mail to you and others, Ms. Farmer  
9 says, "Below are some additional examples of potential  
10 SAR triggers to consider when reviewing the initial  
11 reviews or final in Tom's case. If as part of your  
12 review you see the following, let's prep a SAR filing."  
13 Do you see that?

14 A. Uh-huh.

15 Q. Was it your understanding that Ms. Farmer was  
16 directing you to prepare a SAR if any of the factors in  
17 this e-mail were present based on your review of the  
18 deposit documents?

19 MR. LEBENTA: Objection as to form, and the  
20 document speaks for itself.

21 A. You are asking me to speak to my knowledge of  
22 this at the time that I received it?

23 Q. (By Mr. Carlyle) Yes.

24 A. I don't recall from August of 2012.

25 Q. Okay. So where Ms. Farmer says, "If as part

1 of your review, you see the following, let's prep a SAR  
2 filing," you are saying that -- that you do not recall  
3 whether you understood that to be a direction to prepare  
4 a SAR filing if these factors were present?

5 MR. LEBENTA: Objection. Mischaracterizes her  
6 testimony, and to form.

7 A. Can you repeat that please?

8 Q. (By Mr. Carlyle) So where Ms. Farmer says,  
9 "If as part of your review you see the following, let's  
10 prep a SAR filing," you are saying now that you do not  
11 recall whether you understood that to be a direction to  
12 prepare a SAR filing if these factors were present; is  
13 that correct?

14 MR. LEBENTA: Objection, mischaracterizes her  
15 testimony.

16 A. I don't recall receiving and reading this  
17 e-mail.

18 Q. (By Mr. Carlyle) Okay. So when you look at  
19 the e-mail, the first SAR trigger that Ms. Farmer told  
20 you about was, "The issuers, control, persons, customer  
21 or any third party from whom the customer received the  
22 shares has a regulatory disciplinary history involving  
23 fraud or other securities-related violations." Do you  
24 see that?

25 MR. LEBENTA: Objection. She -- to the form.

1 MR. LEBENTA: Objection. The document speaks  
2 for itself. Go ahead.

3 A. One of Leia's first objectives when she came  
4 to Alpine was to have each employee write a description  
5 of each function of their job, which she then redlined,  
6 edited. We discussed it in meetings, went back and  
7 forth until she felt it was sufficient to save as a  
8 formal document.

9 Q. (By Mr. Carlyle) Does this document describe  
10 your role as a compliance analyst in the suspicious  
11 activity report preparation process?

12 A. Yes.

13 Q. Looking at the detailed steps in item 1.1, it  
14 says, "Choose the appropriate template. It should  
15 correspond with the client on your OTC deposit form."  
16 What does that refer to?

17 A. There were -- for administrative relief, I  
18 would say -- there were template versions saved which  
19 were appropriate for OTC deposits which were made by an  
20 introducing firm or by a retail client.

21 Q. Next it says, 1.2. It says, "For heightened  
22 supervision accounts, use the template with the client's  
23 name at the end." What does that refer to?

24 A. For -- as -- as a compliance analyst, if there  
25 was a customer we were filing a large number of SARs on,

1 again for administrative relief, we would prepare a -- a  
2 template. And by template I mean as a compliance  
3 analyst, I would fill out the subject information for  
4 that person and save that as a means to make the process  
5 more efficient.

6 The way that those were saved, physically  
7 saved on our network, the -- that's referring to how I  
8 would locate that electronic file.

9 Q. Okay. Do you recall what information the  
10 templates contained for the heightened supervision  
11 accounts?

12 A. Which part of the template?

13 Q. Oh, was -- was there a narrative component to  
14 the heightened supervision account template?

15 A. I don't recall.

16 Q. Okay. You don't remember?

17 A. (Witness shakes head.)

18 Q. It says, "For any other account than the hyper  
19 supervision accounts," or "the heightened supervision  
20 accounts, use the general template." What does that  
21 refer to?

22 A. That would refer to a version that didn't have  
23 the subject information already filled in.

24 Q. Did those templates contain information for  
25 the narrative sections?

1           A.   Members of compliance, chief compliance  
2 officer. Potentially legal staff. I -- I don't  
3 remember dates, name, words and specific conversations.  
4 But it's been a subject that we have been aware of and  
5 have discussed. And obviously, as I have become more  
6 educated, moved up in the company, I have been privy to  
7 more of those conversations, some of which occurred  
8 during the relevant time period and some of which have  
9 occurred after.

10           Q.   (By Mr. Carlyle) And these are individuals  
11 that you are saying that you spoke to about Leia Farmer  
12 having spoken to regulators, including during exams,  
13 regarding Alpine routinely filing SARs?

14           MR. LEBENTA: Objection, mischaracterizes her  
15 testimony. You can answer.

16           A.   These are people that -- that I have discussed  
17 in a -- in a grand scheme the concept of what you are  
18 referring to. Discussed that situation, among many  
19 other things. And like I said, what can we learn from  
20 that guidance by enforcement. How can we improve  
21 policies and procedures on a continual basis?

22           Q.   (By Mr. Carlyle) If you can look at paragraph  
23 32 of the same declaration. It starts out, where you  
24 say, "The existence of any factor which required  
25 consideration of a particular circumstance did not

1 automatically trigger a duty to include that factor in  
2 the SAR narrative or file a SAR at all."

3 Do you see that sentence?

4 A. Yes.

5 Q. Okay. What was your basis for making that  
6 statement?

7 A. Again, we go back to the -- the -- the  
8 requirements to file a SAR under a -- under the BSA.  
9 That does not -- as an AML officer now, if someone  
10 approaches me with a concern, whether or not it falls  
11 under one of those four requirements, I have an  
12 obligation to listen, investigate, and see whether  
13 there's an opportunity to escalate, to file a SAR, to  
14 take other action, which may be appropriate to, you  
15 know, mitigate potential risk.

16 If someone walked in and told me that they saw  
17 a black cat walk across the street and they thought that  
18 maybe that had something to do with stock fraud, I would  
19 give, you know, that person the time of day to perform  
20 that investigation based on their concerns. That's part  
21 of -- that's part of AML.

22 Q. Were there any specific factors that you are  
23 referring to here that did not automatically trigger a  
24 duty to include that factor in the SAR narrative or file  
25 a SAR?



1           A.    Basically what I am saying is, a red flag,  
2   whether or not it triggers a filing requirement under  
3   the BSA, should always be considered by -- you know,  
4   ultimately an AML officer is -- is typically the person  
5   that decides the SAR decision. Red flags should be  
6   considered. That's, you know, whether or not it is a  
7   trigger under the BSA to file a SAR, those things that  
8   should still be considered and implemented into a policy  
9   or program.

10          Q.    That first sentence of paragraph 32, is that a  
11   conclusion that you reached during that 2011 to 2015  
12   time period?

13               MS. FRITZ: As clarified by the following  
14   sentence, taken in conjunction. Am I correct? You are  
15   not trying to pull the first sentence out of context?

16               MR. CARLYLE: Yeah, no. That's -- that's  
17   fine.

18               MS. FRITZ: Yeah.

19          A.    And what was your question again?

20          Q.    (By Mr. Carlyle) All of paragraph 32,  
21   rephrase that. Well, let's focus still on that first  
22   sentence of paragraph 32. Is that a conclusion that you  
23   reached during the time period of 2011 to 2015?

24               MS. FRITZ: Maybe we could take a break. And  
25   if we could just take a break and talk for a minute.

1 When you were -- what was your position after compliance  
2 analyst? Was it AML?

3 A. AML analyst.

4 Q. Analyst. So when you were an AML analyst, you  
5 know, realizing there can be different circumstances,  
6 can you just generally describe what you did to  
7 investigate red flags that you became aware of?

8 MS. FRITZ: You can use an example if you  
9 want.

10 A. Well, it's just -- it's tough based on the  
11 nature of Alpine's business. Every situation is  
12 different. Every situation would have required me to  
13 consult with a different person, make a phone call,  
14 review a website if I needed to. Review a, you know,  
15 documentation to support a stock deposit, a wire form.  
16 Anything that was at my -- anything that I could access  
17 that -- that could be of assistance.

18 You know, communications with legal counsel,  
19 public information. It's hard for me -- it's hard for  
20 me to give you a specific example because everything is  
21 so different, and you know, it's -- it's part of the  
22 business of high risk. It's out of the ordinary. It's  
23 constantly changing. You just have to move your feet as  
24 fast as you can to -- to move with it.

25 I can think of a specific example, if that

1 would be helpful.

2 Q. (By Mr. Carlyle) Sure, that would be helpful.

3 A. For what I would do in an investigation.

4 MR. LEBENTA: Sure.

5 A. If there was a situation where a member of  
6 the, you know, a member of the firm was concerned about  
7 the identity of a customer and whether they were being  
8 forthcoming about who they really were, I performed a  
9 review of all of their account documentation that was  
10 saved into our document imaging system. Their stock  
11 deposits, Google searches, up the wazoo, Lexus Nexus.  
12 Actually ended up picking through a court docket and  
13 uncovered that that person had been lying to us about  
14 their identity.

15 We shut down the account, and it was one of my  
16 great triumphs. Whatever lengths are available that,  
17 you know, you have you to go to and sometimes mold to be  
18 appropriate to the situation. That's what makes you a  
19 good AML officer or good AML analyst. You work your  
20 butt off, if I may be so bold.

21 Q. Okay. So then focusing on the position after  
22 the -- or starting with the AML compliance. I'm sorry,  
23 was it compliance analyst?

24 A. Analyst.

25 Q. Sorry.

1 MS. FRITZ: Was it compliance analyst or AML  
2 analyst?

3 Q. (By Mr. Carlyle) Was it AML analyst?

4 A. Yes.

5 Q. Threw in compliance in there. So when you  
6 were in that role, you know, can you describe what you  
7 did with information gleaned from the investigations of  
8 red flags?

9 A. If it was appropriate or I had any questions,  
10 I would escalate the situation, discuss it with Leia,  
11 prepare a SAR, if she required it. Write her a memo,  
12 portray it to the legal staff if I thought it was  
13 pertinent. Like I said, anything and everything that I  
14 felt I needed to do. Most importantly, if I identified  
15 a red flag, and it was, you know, to escalate it to the  
16 appropriate person in that role.

17 Q. And how was that done, the escalation?

18 A. Either verbally or via e-mail. There may have  
19 been, you know, other phone conversations. But -- but  
20 most commonly, it -- it would have been in an e-mail or  
21 a meeting, verbal conversation.

22 MR. LEBENTA: Do you need anything? Are you  
23 good?

24 THE WITNESS: I'm good.

25 Q. (By Mr. Carlyle) In your view did staffing